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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY
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EXAMINER

NGUYEN, TRONG NHAN P

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,301

Applicant(s)

AL-KAZILY ET AL.

Examiner

Jack P. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to Applicant's amendment filed on 10/27/04. Claims 1-20 are being examined.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-3, 5-11, 13-14, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagendran, 6,731,940 (hereafter Nagendran).

As per claims 1, 5, and 18, Nagendran teaches a method for delivery of information to a destination in a communications network based on a physical location of a transmitter, comprising: determining physical location of a transmitter based on one or more signals transmitted by the transmitter to one or more communications networks (col. 3, lines 23-24, 60-64; upon receiving a signal from the mobile device, the system, via the base station, can determine the location of the device to send pertinent location-specific data to the device); identifying an electronic account in said one or more communications networks based on said one or more signals (Col. 4, lines 57-64; col. 5,

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lines 33-35; when a mobile device (11, fig. 1) enters a location being serviced by a particular base station (10, fig. 1), it sends a signal to the base station trying to establish a wireless connection with the base station; the base station (via the service provider) inherently verifies and authenticates the account information (e.g., network address or user ID) of the mobile user before connecting and allowing the mobile device access to the services on the network); determining a network address of a networked device that is in proximity to the physical location of the mobile unit (col. 3, lines 23-38; upon learning the location of the mobile device, the system also determines other network devices (e.g., electronic billboard; network devices have network addresses to identify the devices) that are in the proximity of the mobile device); submitting a request to a second communications network and forwarding information relating to said electronic account to said communications network address (e.g., Internet; first network being wireless network) to forward information relating to an electronic account to a network address (Col. 5, Lines 31-50; col. 6, lines 11-21; the system forwards the mobile device's request to information provider (15, fig. 1) and sends the response data back to the requester; the response data may be sent to a network device (e.g., billboard) that can be retrieved by the requester).

As per claims 2 and 8, Nagendran teaches one or more signals transmitted by the transmitter are forwarded to a first communications network (e.g., wireless) (Col. 4, Lines 57-61; mobile device sends a signal to the base station via the wireless network).

As per claims 3 and 10, Nagendran teaches the electronic account is identified in a second communications network (col. 4, lines 57-64; col. 5, lines 33-35; service

provider (part of second network), via the base station, verifies and authenticates the account information).

Claims 6, 7 and 19 recite similar limitations as claim 1; therefore, they are rejected by similar rationale as claim 1.

As per claim ~~8~~ 9, Nagendran teaches the first communication network (e.g., wireless) is a cellular network and mobile unit is a cellular telephone (col. 2, lines 13-17; wireless network is first network; cellular phone uses radio frequency 'RF' to transmit data).

As per claim 11, Nagendran teaches the computer network includes a server for servicing the submitted request for the electronic account (Col. 5, Lines 43-50; information provider (15, fig. 1) is a database server).

As per claim 13, Nagendran teaches the network address is determined by finding the best match between the network addresses available at or near the physical location (Col. 5, Lines 33-43).

As per claim 14, Nagendran teaches the network address is an IP address of a server at or near the physical location (Col. 3, Lines 14-38; Col. 5, Lines 31-56).

As per claim 16, Nagendran the point of delivery is a printer server (Col. 3, Lines 29-35).

As per claim 17, Nagendran teaches the point of delivery is a device that can display the information (Col. 3, Lines 29-35).

As per claim 20, Nagendran teaches the requested information includes electronic messages (Col. 5, Lines 31-56; requested data are electronic messages or data).

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagendran in view of Tari et al, 6,704,295 (hereafter Tari).

As per claims 4, 12, and 15, Nagendran does not explicitly show the information forwarded includes electronic mail messages associated with the electronic account and an email server to deliver email messages. In a related art to the claim invention, Tari shows an email system that is used to send email messages to an electronic account on a mobile device (Col. 7, Lines 32-49). Hence, it would have been obvious to one of ordinary skill in the art at the time of invention to use email to send or route messages to the recipients. One of ordinary skill in the art would have been motivated to do this because email is versatile and easy to use in addition to providing the user an alternative mode of delivering or sending data to recipients.

Response to Arguments

Applicant's arguments filed 10/27/04 have been fully considered but they are not persuasive.

As to point 1: In the remarks, Applicant argues Nagendran does not disclose or suggest, "...identifying an electronic account in a communication network based on signals received from transmitter."

Examiner respectfully traverses the remark. Nagendran discloses when a mobile device (11, fig. 1) enters a location being serviced by a particular base station (10, fig. 1), it sends a signal to the base station trying to establish a wireless connection with the base station; the base station (via the service provider) inherently verifies and authenticates the account information (e.g., network address or user ID) of the mobile user before connecting and allowing the mobile device access to the services on the network (col. 4, lines 57-64; col. 5, lines 33-35; i.e., if the mobile device has not subscribed to the wireless service being provided by the service provider, the connection request would have been denied by the provider).

As to point 2: Applicant argues Nagendran does not disclose or suggest, "...determining a communication network address that matches a physical location at which the transmitter has been located."

Examiner respectfully traverses the remark. Nagendran discloses as the system receives the transmitting signal from the mobile device, the system performs calculations to determine the physical location of the mobile device; in addition, the system also determines other network devices (e.g., electronic billboard; network

devices have network addresses to identify the devices) that are in the proximity of the mobile device (col. 3, lines 23-38).

As to point 3: Applicant argues Nagendran does not disclose or suggest, "...forwarding information relating to the electronic account to the communications network address."

Examiner respectfully traverses the remark. As stated in point 2 above, upon knowing the physical location of the mobile device, the system can forward location-specific data to the mobile device via the electronic billboard such as local traffic information or other relevant information (col. 3, lines 23-38; col. 4, lines 11-21).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure – US Pat 6,741,188; 6,199,099; 6,151,624; 6,047,327; 6,115,754; 6,256,498

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (703) 605-4299. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn

A handwritten signature in black ink, appearing to read "N. E. Haach", with a long, sweeping diagonal stroke extending downwards and to the right.